441—29.4(230) Certification of settlement.

29.4(1) *Certification data.* By the end of the next working day following a person's admission, the facility shall send a copy of Form 470-4161, DHS Institution Admission Core Data, by facsimile to the central point of coordination of the county of admission. If the facility is aware that the county of legal settlement may be other than the admitting county, the facility shall also:

a. Alert the admitting county; and

b. Send a copy of Form 470-4161 to the other county by facsimile.

29.4(2) *County response.* Within four working days after receiving Form 470-4161, the admitting county shall return to the facility page 3 of the form, the response sheet for determining legal settlement.

a. If the central point of coordination for the admitting county accepts legal settlement, the admitting county shall mark the response sheet accordingly. No supporting evidence is necessary.

b. If the central point of coordination for the other county notified by the facility accepts legal settlement, that county shall return the response sheet marked accordingly and notify the admitting county.

c. If the central point of coordination for the admitting county finds the person's legal settlement to be in another Iowa county, the admitting county shall mark the response sheet accordingly and shall send certification as described in Iowa Code section 230.4 to the county auditor of the other county. A copy of the evidence supporting the determination as prescribed in subrule 29.4(3) shall accompany the certification. If the other county disputes the certification, that county may file a notice of dispute under rule 441—15.2(225C).

d. If the central point of coordination for the admitting county finds that the person has not acquired legal settlement in an Iowa county, the admitting county shall mark the response sheet accordingly and shall send certification as described in Iowa Code section 230.5 to the Administrator, DHS Division of Fiscal Management, 1305 E. Walnut Street, Des Moines, Iowa 50319-0114. A copy of the evidence supporting the determination as prescribed in subrule 29.4(3) shall accompany the certification.

29.4(3) *Supporting evidence.* The supporting evidence shall include all available information used to make a determination of legal settlement as defined in Iowa Code sections 252.16 and 252.17.

a. Supporting evidence shall include, but need not be limited to:

(1) The current and former addresses of the person, including the dates for the period when the person resided at each address;

(2) The person's current services and service history, including the name and location of the provider and the dates when services were received;

(3) The history of addresses and services received by the person's custodial parent or guardian (when the person takes the legal settlement of the custodial parent or guardian as defined in Iowa Code section 252.16);

(4) Copies of any court orders affecting a minor's custody or guardianship; and

(5) Any other information needed to make a determination of legal settlement.

b. Copies of the following forms may be submitted as supportive evidence, if properly completed:

(1) Form 470-3439, Legal Settlement Worksheet.

(2) A county central point of coordination application.

(3) Form 470-4160, Notice of Court Action on Mental Health Hospitalization.

c. If a county asserts that a person's legal settlement is unknown so that the person is deemed a state case, the county that makes the assertion shall provide documentation of all attempts made by the county to ascertain the facts necessary to make a legal settlement determination. Documentation shall include:

(1) Information about each person contacted during the investigation, including the person's name, address, telephone number, and E-mail address if available;

(2) The information obtained during the investigation; and

(3) Identification of the person conducting the investigation.

This rule is intended to implement Iowa Code sections 230.1 through 230.6, 230.10, and 230.11.